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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,988	01/04/2002	Alexander L. Kormos	019469.0224	9643
5073	7590	11/17/2003	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980				CRUZ, MAGDA
ART UNIT		PAPER NUMBER		
		2851		

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/038,988	KORMOS, ALEXANDER L.	
<b>Examiner</b>	<b>Art Unit</b>		
Magda Cruz	2851		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

## ***Office Action Summary***

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on 04 January 2002.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-28 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-28 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 24 June 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ . 6)  Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 02/28/2002, 04/15/2002, 06/05/2002, 06/17/2002, 08/16/2002, 11/12/2002, 12/30/2002, 02/05/2003, 07/07/2003 and 09/25/2003 has been considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson et al.

Anderson et al. (US Patent Number 6,262,848 B1) discloses a method and system for providing images (column 1, lines 35-36) for an operator (30) of a vehicle (20), comprising: receiving electrical signals representing electromagnetic radiation (column 1, lines 31-35) at an image source (60); generating a visual image based on the electrical signals (column 2, lines 64-67); and reflecting different portions of the visual image with a magnifying optical element (69) for presentation at different viewing locations (column 4, lines 18-30), the visual image appearing as a virtual image (column 3, lines 49-50); wherein at least one dimension of the visual image is larger than the

magnifying optical element (69) can use to present an image at one of the viewing locations (column 3, lines 32-46); wherein the dimension comprises the vertical (column 4, lines 60-62); wherein the vertical field-of-view of the virtual image is at least one degree larger than the vertical field-of-view at the viewing location (column 4, lines 57-60); wherein the magnifying element comprises an aspheric magnifying optical reflector (84); further comprising reflecting the visual image with a mirror before the visual image encounters the magnifying optical element (column 3, lines 34-41); further comprising reflecting the visual image with the windshield for presentation at the viewing locations (column 4, lines 31-40); further comprising: receiving electromagnetic radiation and generating the electrical signals that represent the electromagnetic radiation (column 3, lines 8-15); wherein the electrical signals received at the image source represent infrared radiation from a field-of-view in front of the vehicle (column 3, lines 1-4); wherein the dimension of the visual image is larger than the magnifying optical element can use to present an image at a substantial portion of the viewing locations in an eye ellipse (column 7, lines 21-29); wherein the portion is greater than approximately ninety-five percent of the eye ellipse (i.e. entire visual image at numerous points in eyebox; column 4, lines 29-31).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Erskine et al. (US Patent Number 5,805,119) discloses a vehicle-projected display using an optical element disposed in the light path projecting a virtual image.

Kormos (US 2002/0063778 A1) teaches a system and method for forming images for display in a vehicle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (703)308-6367. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703)308-2847. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1782.



Magda Cruz  
Patent Examiner  
November 11, 2003

Magda Cruz  
Patent Examiner  
November 11, 2003